THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE D.APPA RAO

WRIT PETITION No.16495 of 2007

DATED : 20-08-2007

Between :

Abdul Ilyas

…Petitioner.

AND

The Commissioner of Police,
Cyberabad Commissionerate,
Ranga Reddy District,
Hyderabad and 5 others.

…Respondents.

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ORAL ORDER : (per the Hon'ble Sri Justice D.S.R.Varma)

Heard learned counsel for the petitioner and the learned Assistant Government Pleader, representing the learned Advocate General appearing for respondents 1 to 3.

2. The writ petitioner is allegedly the lover of a young girl viz., Ms.Rajani, who was illegally detained by respondents 4 to 6 with the

aid and assistance of respondents 2 and 3. He alleges that the parents of the alleged detenu are harassing her and, therefore, he filed the present writ petition for production of the alleged detenu.

3. Notwithstanding the detailed submissions made by the learned counsel for the petitioner, we are of the view that this writ petition is totally misconceived and at the outset, this kind of writ petitions are to be dissuaded and deprecated. Without any basis or support from the girl, who was allegedly detained, the petitioner claims to be a lover. The claim in that regard is not sufficient so long as the girl is in the custody of her parents. It is altogether different if the girl herself gives a complaint about the alleged harassment in the hands of her parents.

4. In view of the above said fact, we do not find any *locus* for the petitioner to file this writ petition. We are very clear in our mind that this aspect of the *locus* may not be applicable in all types of cases of *Habeas Corpus*. In appropriate cases, the *locus* would be reduced to relevancy, but, in matters like the present one, it is totally irrelevant.

5. For the foregoing, we do not find any merit in the writ petition and the same is liable to be dismissed.

6. Accordingly, the writ petition is dismissed, at the stage of admission. However, there shall be no order as to costs.

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JUSTICE D.S.R.VARMA

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JUSTICE D.APPA RAO

20-08-2007

Msr.

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